

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

BRIAN JEFFREY ELLIS,

Plaintiff,

Case No. 15-13985

v.

Honorable John Corbett O'Meara

NANCY A. BERRYHILL, Acting
Commissioner of the Social Security
Administration,

Defendant.

ORDER GRANTING PLAINTIFF'S MOTION FOR FEES

This matter came before the court on plaintiff Brian Jeffrey Ellis' February 9, 2017 Motion for EAJA Attorney's Fees. The Commissioner filed a response February 23, 2017. No reply was filed, and no oral argument was heard.

Plaintiff's counsel filed the instant motion, seeking an award of \$5,973.39 in attorney fees, plus the \$400 filing fee, for a total award of \$6,373.39. The Commissioner has no objection to the award nor to the amount; rather, she seeks only an opportunity to determine whether the amount may be "offset to satisfy a pre-existing debt that the litigant owes to the United States." See Kenney v. Colvin, 2015 WL 5837709, at 3* (E.D. Mich. Sept. 29, 2012).

Despite Plaintiff's counsel's request that the attorney fees "be paid directly to plaintiff's attorney," the court will award the fees and costs to plaintiff Ellis.

ORDER

It is hereby **ORDERED** that plaintiff Ellis' February 9, 2017 motion for attorney's fees is **GRANTED**.

It is further **ORDERED** that \$6,373.39 be paid to plaintiff Brian Jeffrey Ellis, minus any amount that may be used to satisfy a pre-existing debt to the United States.

s/John Corbett O'Meara
United States District Judge

Date: April 25, 2017

I hereby certify that a copy of the foregoing document was served upon counsel of record on this date, April 25, 2017, using the ECF system.

s/William Barkholz
Case Manager